

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

OLENA OLTAR,
Plaintiff

V.

KEVIN M. LEARY,
Defendant

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Civil Action

No. 04-12594-RGS

JOINT SCHEDULING STATEMENT

Now come the parties in the above captioned matter and respectfully submit this proposed joint scheduling statement.

We believe a two-stage discovery process may be in order in the captioned matter: The first is to give each side an opportunity to evaluate the case, and the second is to, if necessary, prepare for trial.

- A.
1. all amendments to pleadings to be filed on or before 5/30/05.
 2. all written discovery propounded pursuant to Fed.R.Civ.P. 26(b) to be answered before 6/30/05.
 3. all depositions of fact witnesses to be completed on or before 8/31/05; the parties reserve the right during the second stage of this process to preserve their witnesses' testimony for time of trial through video deposition consistent with the Federal Rules of Civil Procedure, Federal Rules of Evidence and Local Rules.
- B. If necessary, stage two would consist of the following:
1. Plaintiff's designation of experts, expert disclosures, and complete answers to expert interrogatories on or before 9/30/05.
 2. Defendant's designation of experts, expert disclosures, and complete answers to expert interrogatories on or before 10/31/05.
 3. Completion of any allowed expert depositions on or before 11/30/05.

4. all dispositive motions to be filed on or before 11/30/05.
5. Final Pretrial Conference some date after 11/30/05.

A certification signed by the Plaintiff and her counsel is attached. A certification signed by the Defendant and his counsel will be filed.

Respectfully submitted for the
the Plaintiff, by her attorney,

/s/ David J. Berg
David J. Berg, Esq.
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
617-523-1000

Respectfully submitted for the
the Defendant, by his attorney,

/s/ David B. Wilson
David B. Wilson, Esq.
Robinson & Cole LLP
One Boston Place
Boston, MA 02108-4404
617-557-5935

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

/s/ David J. Berg
David J. Berg, Esq.
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
617-523-1000

Dated:

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AFFIDAVIT

I, Olena Oltar, hereby depose and state as follows:

1. I have discussed with my attorneys the probable budget for the costs of conducting the full course - and various alternative courses - of the litigation.
2. I have discussed with my attorneys potential resolution of the litigation through the use of alternative dispute resolution programs.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY
THIS 17 DAY OF April, 2005.



Olena Oltar



David J. Berg